

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:16cr51-HTW-FKB

TERESA K. MALONE

AGREED PRELIMINARY ORDER OF FORFEITURE

Pursuant to a separate Plea Agreement and Plea Supplement between the defendant, **TERESA K. MALONE**, by and with the consent of her attorney, and the **UNITED STATES OF AMERICA** (hereinafter the “Government”), **TERESA K. MALONE** agrees that the following findings are correct, and further agrees with the adjudications made herein. Accordingly, the Court finds as follows:

1. The defendant is fully aware of the consequences of having agreed to forfeit to the Government her interests in and to the hereinafter described property, having been apprised of such by her attorney and by this Court; and she has freely and voluntarily, with knowledge of such consequences, entered into said Plea Agreement with the Government to forfeit such property.
2. Based upon the defendant’s plea agreement and plea supplement and upon a factual basis presented by the Government and to which the defendant agrees, the hereinafter described monetary amount constitutes property that was received as proceeds involved in the violation of Count 2 of the Indictment and was monetary proceeds traceable to such violation. Further, the crime charged in Count 2 of the Indictment is bribery in violation of 18 U.S.C. § 666(a)(2). Such property is, therefore, subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A) and (C), and 28 U.S.C. § 2461.

3. The defendant has been apprised of the fact that Rule 32.3 of the Federal Rules of Criminal Procedure, 18 U.S.C. § 981(a)(1)(C) and 18 U.S.C. § 2461 require the Court to order the forfeiture of the hereinafter monetary judgment at and as a part of the sentencing proceeding. The defendant does hereby waive such requirement and the requirement that the forfeiture be made a part of the sentence as ordered by the Court in the document entitled, "Judgment in a Criminal Case"; and does further authorize the Court to enter this order immediately, agreeing that the forfeiture ordered hereunder will be a part of the sentence of the Court whether ordered at that proceeding or not and whether or not attached thereto as a part of the said Judgment in a Criminal Case.

IT IS, THEREFORE, ORDERED AND ADJUDGED AS FOLLOWS:

- a. That the government is granted a money judgment of forfeiture from the defendant in the amount of \$225,000.00 in U.S. Currency which represents proceeds the defendant received from the violation set forth in the Indictment of this matter as provided for in Fed. R. Crim. P. 32.2.
- b. That any ancillary hearing is hereby dispensed with as the forfeiture provides for a money judgment.

Pursuant to Fed. R. Crim. P. 32.2(b)(3), this Agreed Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing [or before sentencing if the defendant consents] and shall be made part of the sentence and included in the judgment.

The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary,
pursuant to Fed. R. Crim. P. 32.2(e).

SO, ORDERED AND ADJUDGED this 4th day of October 2019.

Henry T. Wengate
UNITED STATES DISTRICT JUDGE

APPROVED:

Darren LaMarca
DARREN LAMARCA
Assistant United States Attorney

5/29/19
Date

Teresa K. Malone
TERESA K. MALONE
Defendant

5-24-19
Date

James R. Franks, Jr.
JAMES ROGER FRANKS, JR.
Attorney for Defendant

5-24-19
Date